

Application No.: 10/659816
Amendment dated: March 15, 2005
Reply to Office action of December 15, 2004

REMARKS/ARGUMENTS

The amendments to the specification correct minor errors, and are self-explanatory.

The new independent claims, 28 and 35, avoid the term "extendible support," and have been written to make it clear that the bag support holds a bag upright and open, and is movable downward to a stowed position. These claims are believed to avoid the points of indefiniteness noted by the Examiner in the rejection under §112.

Independent claims 28 and 35 are similar, but differ in that claim 35 specifically recites that the bag support is rotatable about a vertical axis. Claim 28 would encompass, for example, a bagging module in which the bag support is composed of bag-engaging arms that are slidable on an oval track instead of fixed to a rotatable vertical shaft.

Both of the presently presented independent claims define the downward vertical movability of the bag support, a feature that is not taught in Wike or Nguyen. The most that can be derived from these references is a suggestion that a rotating bagwell as in Nguyen might be utilized in place of Wike's stationary, non-rotating bag supports. Neither reference supplies a suggestion sufficient to show that the claimed subject matter, as a whole, would have been obvious.

The prior art also lacks a teaching of the subject matter of the dependent claims, when considered as a whole. For example:

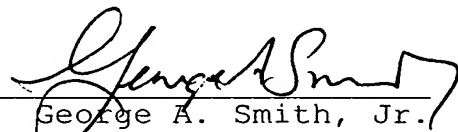
- (a) a table movable with a vertically movable bag support (as in claims 29 and 36)

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- (b) vertical downward movability of plural bag supports
(as in claims 30 and 38)
- (c) bag support comprising a vertical member extending
through a rotatable table along the axis of rotation
(as in claim 37)
- (d) the bag support, when in its operative position,
occupies space which is occupied by the extendible
article supporting member of the front or rear
module when the extendible member extends over the
bagging module (as in claims 32, 34, 40 and 42).

For the reasons set forth, the Applicants respectfully
submit that the claims as presently amended define subject
matter that is neither anticipated, nor shown to have been
obvious, by the prior art, and request favorable
reconsideration and allowance of this application.

Respectfully submitted,
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